

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES	*	
	*	
VS	*	NO. 03-CR-10385-RGS
	*	
KIRK S. RINALDI	*	

EX PARTE APPLICATION TO AUTHORIZE FUNDS

The defendant, Kirk S. Rinaldi, is a defendant in a three-count indictment charging him with Felon in Possession of Firearms [18 USC 922 (g)(1)], Possession with Intent to Distribute Heroin [21 USC 841 (a)(1)], and Possession of Firearms in Furtherance of a Drug Trafficking Crime [18 USC 924 (c)].

The court has declared the defendant indigent and the undersigned was appointed as his attorney to represent him.

Trial was originally scheduled for June 11, 2007, but was rescheduled to July 16, 2007. Just prior to the earlier trial date significant amounts of pretrial discovery was presented to the defense counsel, the total of which approximated 1,000 pages in number. This entire discovery was copied and submitted to the defendant. Conferences in recent days with the defendant following these submissions raised certain issues that require immediate investigation by counsel prior to the coming trial date.

Due to the limitations of time counsel has already commenced engagement of the services of a private investigator for an investigation effort that is important for trial, to include the identification of potential defense witnesses. It is also apparent from the government's pretrial discovery that there is potential for exculpatory evidence to be discovered on behalf of the defendant prior to his trial. For these and related reasons it is necessary that an immediate and comprehensive investigative effort be undertaken to assist in the defense of this case.

WHEREFORE, pursuant to 18 USC 3006A (e)(1), the defendant requests the court to authorize defense counsel to engage a private investigator whose time and services are presently not expected to exceed \$2,000.00.

June 11, 2007

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